

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 724 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

NATVARLAL MAGANLAL MODI

Versus

VASANTLAL GAMANLAL GANDHI

Appearance:

MR DHIRENDRA MEHTA for Petitioners
MR MR KM PARIKH for Respondents
None present for other respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 24/03/2000

CAV JUDGEMENT

#. Heard learned counsel for the parties.

#. In the civil suit being Regular Civil Suit No.39/91

filed by the plaintiffs-petitioners for declaration and permanent injunction restraining the defendants-respondents from making any construction and thereby making any encroachment upon the wada land of their property bearing No.1/145 situated at Bazar area of village Sim, the learned trial court directed the parties to maintain status quo. This order was reversed on the appeal filed by the defendants-respondents hence this revision application under Section 115 of the Code of Civil Procedure, 1908 in this Court.

#. On 26/4/96, this court ordered for issuance of the notice to the respondents. Status quo in terms of para 4 (C) was ordered to be maintained by the parties. On 3/10/96, this civil revision application was admitted and the status quo in terms of para 4(C) ordered to be maintained by the parties. The counsel for the parties are in agreement that this interim relief, which has been granted by this court is continued till date.

#. The suit out of which this revision application arises is of year 1991. From the date of filing of the suit the status quo as ordered to be maintained is continuing i.e. for almost about 9 years. The interest of justice will be met in case this revision application is disposed of in terms that the learned trial court shall finally dispose of the suit itself within a period of six months from the date of the receipt of the writ of this order or certified copy thereof, whichever is earlier.

The Rule and the revision application stand disposed of accordingly without any order as to costs.

(S.K.Keshote, J.)

*Pvv